

# **Official Minutes for Webb County Commissioners Court Meeting**

**Monday, March 24, 2003 at 1:30 P.M.**

**(With corrections approved April 14, 2003 in bold and parenthesis)**

- Item No. 1      Call to order by Judge Louis H. Bruni  
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:30 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Jerry Vasquez	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Felix Velasquez	Commissioner, Pct. 3
David Cortez	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 20<sup>th</sup> of March 2003. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2      Roll Call – Margie Ramirez Ibarra, County Clerk

- Item No. 3      Pledge of Allegiance – Led by all

- Item No. 4      Invocation – Cmr. Velasquez

Judge Bruni requested moment of silence in memory of our troops involved in "Operation Iraq Freedom"

- Item No. 5      Approval of Minutes – March 10, 2003, December 9, 2002 and December 16, 2002.

Mr. Jorge Flores, Chief Financial Officer, stated that he had some corrections for the minutes. He stated that on page 6, Item No. 8, Cmr. Velasquez's appointee is Arturo J. Dominguez, not Arturo L. Dominguez. He also stated that on page 13, Item No. 34, the correct account number is 001-0106-5001 not 011-0106-5001. He also stated that the minutes incorrectly name Ms. Rhonda Tiffman as the Planning Director when it should be Ms. Rhonda Tiffin. Cmr.

Vasquez, Cmr. Gutierrez and Cmr. Cortez had no other corrections. Cmr. Velasquez had a question in regards to the memo sent on March 12, 2003 with the December minutes as to a meeting held on December 27, 2002. Ms. Margie Ramirez Ibarra, County Clerk, advised the Court that it was the meeting of the Salary Grievance Committee.

Cmr. Gutierrez motioned to approve the minutes with corrections stated. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7      Communications

Judge Bruni inquired if any Commissioner had anything they wanted to advise the constituents of. Cmr. Gutierrez stated that her communications were in regards to item No. 43 and 44.

Cmr. Gutierrez motioned to move up Item No. 43 and No. 44. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent to move up No. 43 and No. 44

Item No. 43      Discussion and possible action on the approval of a Proclamation for "April as Head Start Month in Webb County."

Ms. Eliza Oliveros, Head Start Director, stated that the reading of the proclamation is the kick-off for the month-long events and activities to celebrate Head Start Month in Webb County. She presented Ms. Ana Maria Castillo, Assistant Director and Ms. Gloria Castillo, Education Development. Ms. Oliveros presented the following children representing various Head Start centers. They were chosen based on parent participation at their respective centers. The children presented were as follows:

Selina Almanza – Sierra Vista  
David Banda – El Cenizo  
Kimberly Cuellar – Tatangelo II  
Marco Antonio Cortez, III – Cruz  
Raiseth Rodriguez – Meadow Acres  
Juan Jose Fabella – Larga Vista

Cmr. Cortez presented the children with educational goody bags. Cmr. Vasquez and Cmr. Velasquez awarded the mothers of these

children with certificates of appreciation. Cmr. Gutierrez read the proclamation.

- Item No. 44 Discussion and possible action on the approval of a resolution to keep Head Start under the Department of Health and Human Services. [Requested and Sponsored by Commissioner Judith Gutierrez]

Cmr. Gutierrez read the resolution and stated that she supported keeping the Head Start Program under the auspices of the Department of Health and Human Services instead of under the Department of Education.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Ms. Sonia Ruano, Head Start parent, addressed the court and asked for their support to keep the Head Start program under the Department of Health and Human Services. She stated that the program not only focuses on the child but on the family as a whole and that this would be lost if the program was placed under the Department of Education. Cmr. Gutierrez presented a certificate of participation to Ms. Ruano.

Judge Bruni called on Dr. Carranza on behalf of the American Red Cross. Dr. Carranza advised Court that for many families, the Red Cross is the only means of communication for those families who have loved ones fighting in the war. Ms. Martha Wright stated that now more than ever, the American Red Cross was in need of monetary and voluntary hours donations. She stated that though almost everyone involved with the American Red Cross is a volunteer, there are some administrative duties that are held by paid employees. Judge Bruni read proclamation declaring March 2003 as "Red Cross Month" and congratulated Dr. Carranza on his dedication and hard work with the Red Cross.

Cmr. Velasquez stated that he would like to congratulate and award the "Webb County Texas Salute" award to Cristina Vargas and Chantall Canales who are National Champions of the All-Women Southwest Texas State University Cheerleader. He congratulated both young ladies on their accomplishments at Southwest Texas State University and for the superb job that they are doing representing Webb County. He advised the court that both were previously Webb County residents and that Ms. Cristina Vargas is the daughter of Mr. Juan Vargas from Economic Development.

Cmr. Cortez congratulated them on their achievements and for the countless hours of hard work and sacrifice they put in everyday.

Judge Bruni thanked Mr. Jesus Cantu, Veterans' Services Department for providing the flags of the various armed forces so that they can be put on display at the Courthouse.

Item No. 8      Public Comments

Mr. Rudy Lerma was present to address the Court in regards to Item No. 13.

Cmr. Cortez motioned to move up Item No. 13. Cmr. Velasquez seconded the motion.

Motion to move up Item No. 13 carried 5-0 by unanimous consent.

Item No. 13      Request for a report from the County Engineer and the County Attorney as to Webb County's position on the status and development of roads at La Moca and the question of ownership thereof.

Mr. Lerma was present to represent various landowners who are currently having disputes with two individuals who want to "land lock" them out of their property by placing a lock on the gate that the landowners use to access their property. He stated that they understand that because it is not a public road, the County is not responsible for the maintenance of the road but is requesting the Court's assistance in this matter. As per a map that he has, the road is a legal easement and that if a lock is placed on the gate, then everyone who uses that road will need to be given a key. Cmr. Cortez stated that he has met with the residents who are affected by this decision and advised them that there are two things that must be clarified and worked out before anything can be done. The first thing that needs to be established is the legal ownership of the road and for both parties to be willing to cooperate with each other and the County. Mr. Homero Ramirez, County Attorney, advised Court that this is a dispute between two private parties and the County has limited or no authority on this matter. Mr. Tomas Rodriguez, Engineering Department, stated that a plat filed November 16, 1953 does not contain the easement but a plat filed June 1, 1954 does contain the easement. He stated that the Commissioners Court at the time did not accept the easement as a County road. He stated that as per Local Government Code, Section 232.001, easements must be 50 feet

wide in order to be accepted as County roads. He stated that there are very few regulations in regards to "land-locking" people. Judge Bruni stated that the State of Texas forbids denial of access to property through "land-locking" and advised Mr. Homero Ramirez, County Attorney, to request the Attorney General's Opinion in this matter. Mr. Homero Ramirez, County Attorney, stated that he could not give any legal advice to the persons because the County has no authority on this matter. He stated that he would get together with Judge Bruni and his staff and consider the request for the Attorney General's Opinion on this matter. Cmr. Vasquez stated that he is concerned that this will be seen as taking sides on a private matter and that the Court has no power to tell the County Attorney what to do or not do. Cmr. Cortez inquired as to what "road by prescription" meant and Mr. Ramirez stated that if the County paves or maintains a private road, in essence, it acquires that road. Mr. Ramirez stated that he has spoken with the individuals involved in this matter and has advised them to hire private counsel. Judge Bruni stated that attorneys are able to look for creative ways to assist constituents and he hopes that Mr. Ramirez will be able to assist them.

Mr. Richard Haynes came before the Court to discuss Item No. 34.

Cmr. Gutierrez motioned to move up Item No. 34. Cmr. Vasquez seconded the motion.

Motion to move up Item No. 34 carried 5-0 by unanimous consent.

- Item No. 34 Discussion and possible action to accept the donation of a 10.5-acre tract of land located off of U.S. Highway 359, from HOME-MART, INC., a Texas Corporation and 359 EAST-ROYAL LAND, L.C., a Texas Limited Liability Company, for the construction of a Self-Help Center and/or community park, which must be constructed within two years or the property reverts back to the grantor/donor and any matters incident thereto. [Requested by Economic Development Department]

Mr. Richard Haynes congratulated the Court on its support of our troops in Operation Iraq Freedom. He stated that the land that is to be donated is for the development of a park, community center or self-help center to benefit the residents of that area. Cmr. Gutierrez stated that she had spoken with Mr. Haynes in regards to the land donation and possibly building a Self-Help Center in that property with a park next to it. She stated that the money is available to build the park with the funds set aside for each

commissioner to build parks in their precinct. Mr. Richard Haynes stated that he would also like to recognize his partners in this project who are Mr. Jesus Ruiz and Mr. Arnulfo Gonzalez, Jr. Cmr. Velasquez congratulated Mr. Juan Vargas, Economic Development and Cmr. Gutierrez for their vision and dedication to building parks in Webb County.

Cmr. Gutierrez motion to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Cortez motioned to move up Item No. 14. Cmr. Gutierrez seconded the motion.

Motion to move up Item No. 14 carried 5-0 by unanimous consent.

Item No. 14 Discussion and possible action to extend funds for Professional Service for Department 1306 (Youth Village Project) as follows:

Administrative Travel        \$12,750.00

County Court at Law #2 Judge Jesus Garza was present to request approve for this item. He stated that the Youth Village Project is ongoing and a presentation will be done in a few weeks. He stated that while funds were set aside for this project in the budget, no monies for travel were allotted. He stated that travel monies are needed to travel to other cities and solicit contributions and funds from other agencies.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion

Motion carried 5-0 by unanimous consent.

Item No. 9 Discussion and possible action to transfer \$31,846.00 from account #001-0200-5001 (Payroll – Slot #1859) to account #001-0200-6022 (Professional Services)

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Velasquez inquired as to which slot this was and who holds this slot. Raul Casso, Chief of Staff, stated that this slot belonged

to Ms. Elizabeth Martinez, the former Director of Communications. He stated that this transfer was being requested in order for funds to be used in another manner. Judge Bruni stated that he plans on hiring a publicist to work with his office and the commissioners in dealing with the public.

Motion carried 5-0 by unanimous consent.

Item No. 10 Discussion and possible action to appoint members to the Metropolitan Planning Organization.

Judge Bruni stated that the Court would need to appoint 3 members of the Court to serve this organization.

Cmr. Vasquez motioned to appoint Cmr. Gutierrez to this board. Cmr. Cortez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to appoint Cmr. Velasquez to this board. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to appoint Judge Bruni to this board. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Judge Bruni stated that the first meeting was scheduled for April 1<sup>st</sup> and stated that he believed the term limit to be 2 years.

Item No. 11 Discussion and possible action to revise the Webb County Personnel Policies Section 9.03 ANNUAL LEAVE to change the number of days an employee may be separated from County employment before length of service with the County is affected from less than 30 days to less than 90 days. This revision shall be effective January 1, 2003.

Cmr. Gutierrez inquired as to whether court could take action on this item. Mr. Homero Ramirez stated that it was at the discretion of the court. Cmr. Velasquez inquired as to the impact this would have on the budget. Mr. Ramirez stated that the impact would only be for those individuals who were separated from County employment for more than 30 days but less than 90 days. He

stated that because they would be earning more hours per month if their length of service had not been affected when they were separated from County employment. He stated that there might be some problems with giving retroactive pay and retroactive hours but that the decision was ultimately that of the courts.

Cmr. Vasquez motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 12 Discussion and possible action to reduce the salaries, by an amount equal to the increase given in 2001 to all employees with at least 15 years of service, to all positions/slots where the employee that earned the increase has been separated from County employment and to allow 15 year employees that benefited from this increase in salary to transfer the amount of the increase should they be hired at another county department.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Cortez questioned as to whether this was to go retroactive. Judge Bruni stated that these questions would need to be addressed by County Attorney and County Auditor. Cmr. Cortez stated that if Cmr. Gutierrez brought item to court, then she should be able to answer these questions. Cmr. Cortez asked if only those who started in January 2003 would be affected or how far back this item would go. Mr. Jorge Flores, Chief Financial Officer, stated that the 3% longevity raise given to those employees with 15 years or more of employment with the County would be reduced from those slots where the raise was given. Mr. Homero Ramirez, County Attorney, stated that the intention of Cmr. Gutierrez was for the reward of 3% longevity raise to follow the employee and not stay with the slot. Those positions where the employee is no longer in that slot has already been filled and those employees did not expect to have their salaries reduced. He stated that the court had two choices in this matter. The first choice would be to get a tally of those slots and persons who received a longevity raise in one slot and are now in another slot minus the 3% and find the money to recompense them in other funds. The second choice would be to reduce the salaries of those employees in slots that received a longevity raise and risk legal repercussions due those employees were hired at that salary. Cmr. Velasquez stated that he

understood Cmr. Gutierrez concerns and the importance of this item but that he will be unable to support it. He stated that just as Cmr. Vasquez stated that the commissioners benefited by raises given to commissioners before them, so have the employees in those slots. He stated that the decision must be well thought out and every consequence looked at. Mr. Leo Flores, County Auditor, stated that he would recommend the court come up with a list of those who will be affected. Cmr. Gutierrez stated that the increases were given to the employee, not the slot and that it was not fair for someone who just began with the county to benefit from someone else's raise.

Cmr. Gutierrez withdrew her motion and Cmr. Vasquez withdrew his second. Judge Bruni requested a report to be given at the next meeting.

Cmr. Velasquez motioned to defer item for further information. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to defer Item No. 12.

#### Item No. 6      Approval of Bills, Payroll and Monthly Reports

Ms. Delia Perales, County Treasurer, presented February reports for Commissioners Court approval. Cmr. Velasquez inquired as to why **(bank statements)** have not been reconciled if at prior meeting, Treasurer's Department was to start reconciling **(bank statements)**. Ms. Perales stated that the Auditors Department has only reconciled **(bank statements)** until October 2002. She stated that she wants transition to be done smoothly and wants to work with Auditors Department to do that. Mr. Leo Flores, County Auditor, stated that he agreed with Ms. Perales but that since there was only one person working on the reconciling along with other office duties, **(bank statements)** have only been reconciled until October.

Cmr. Gutierrez motioned to approve all reports submitted to the Court. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Vasquez motioned to move up Item No. 51 and 52. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 51 Discussion and possible action to adopt the Webb County Investment Policy for 2003 in accordance with the Public Funds Investment Act.

Item No. 52 Discussion and possible action to approve the following list of financial institutions authorized to sell investments of Webb County for 2003.

- a) TexPool
- b) Logic
- c) MBIA Class
- d) Amherst Securities

Comr. Vasquez motioned to approve Item No. 51 and No. 52 as submitted. Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Ms. Patricia Barrera, Tax Assessor Collector, presented monthly report to Court. She stated that collections had superseded all expectations.

Comr. Gutierrez motioned to move up Item No. 50. Comr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to move up Item No. 50.

Item No. 50 Discussion and possible action to approve request for refunds as recommended by the Tax Assessor Collector as follows:

- 1) International Bank of Commerce, Attn: Cristina Martinez  
Reason: Paid in error  
Total Refund: \$1,041.56
- 2) Luis G. Martinez  
Reason: Improvement not complete for 2002; inquiry filed on timely basis  
Total Refund: \$614.20
- 3) Mercy Health System of Texas  
Reason: \$2,720.07 was paid by Border Title and  
\$1,899.59 was paid by Neel Title

Total Refund: \$4,619.66

- 4) Neel Title Corporation, Attn: Manuelita Garza  
Reason: Paid as split payment. No P & A on split payment.  
Paid on time  
Total Refund: \$718.07
- 5) U.S. Department of Housing and Urban Development  
Reason: Overpayment  
Total Refund: \$791.10

Comr. Vasquez motioned to approve Item No. 50 as submitted.  
Comr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 15 Discussion and possible action on the approval of "Participant Conduct Guidelines/Policies" for the Community Action Agency Neighborhood Centers/Concilios.
- Item No. 16 Discussion and possible action to call an election on March 25, 2003 at 6:00 p.m. in Rio Bravo (Area IX) and El Cenizo (Area X) for seats on the Community Action Agency Advisory Board, "Category B Representatives of the Poor" as required by stated regulations, specifically state mandate #2002.3 and to be conducted in accordance with Community Action Agency By-Laws approved by Commissioners Court.
- Item No. 17 Discussion and possible action on the approval to fill Slot #1214, full-time Secretary at \$9.50 per hour, effective March 25, 2003. [Account #952-4216-5001 Meals of Wheel; Account #955-4222-5001 Elderly Nutrition Grant]

Comr. Vasquez motioned to approve Item No. 15, No. 16 and No. 17 as submitted. Comr. Gutierrez seconded the motion.

Comr. Velasquez inquired as to whether slots needed to be approved before being filled. Mr. Homero Ramirez, County Attorney, stated that department heads needed to seek permission from the court to fill a vacancy. He stated that this did not apply to elected officials. He stated that the general order states that approval must be sought from Commissioners Court.

Motion carried 5-0 by unanimous consent.

- Item No. 18 Discussion and possible action to enter into a contract with the Laredo Animal Protective Society in the amount of THIRTY TWO THOUSAND DOLLARS (\$32,000.00) for fiscal year 2002-2003 and authorizing the County Judge to sign all relevant documents. [Account #001-4300-7406 Animal Protective Society]
- Item No. 19 Discussion and acceptance of Webb County Sheriff's Office Annual Report on Information Relating to Traffic Stops as required by the Texas Code of Criminal Procedure Law Enforcement Policy on Racial Profiling, Art 2.132, (b)(7) [Requested by the Sheriff's Office]
- Item No. 20 Discussion and possible action to enter into a contract with the South Texas Council Boy Scouts of America Aztec District (F/K/A Gulf Coast Council, Inc., Boy Scouts of America) for third party funding in the amount of FIVE THOUSAND DOLLARS (\$5,000.00) for fiscal year 2002-2003. [Account #001-0110-7462 Boy Scouts of America]

Cmr. Vasquez motioned to approve Item No. 18, No. 19 and No. 20 as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Cortez stated that he had some concerns with the amount of money being allocated to the Laredo Animal Protective Society (Item 18). He stated that the Elderly Nutrition Program was only allotted \$5,000.00 while the LAPS received \$32,000.00. He stated that it seemed that the court cared more about feeding animals than feeding the elderly. Cmr. Velasquez stated that he shared the concerns aired by Cmr. Cortez. He stated that the LAPS had been allocated \$15,000.00 in the budget and wanted to know when the figure jumped to \$32,000.00. Mr. Leo Flores, County Auditor, stated that the budget did show \$32,000 approved for the LAPS but is unsure if it was part of the judge's budget or where it was placed. He stated that the proposed budget showed \$15,000.00 but the approved budget showed \$32,000.00. He stated that the \$5,000.00 allocated to the Meals on Wheels Program was part of a grant. Cmr. Vasquez stated that he did not understand why everyone was arguing when the budget, including this amount, was approved unanimously and that to criticize that decision would be to criticize oneself. Cmr. Gutierrez stated that there was a rabies outbreak at the time of the approval of the budget and the LAPS

was in need of additional funds to assist in the rabies outbreak. Cmr. Velasquez stated that at times, it is unclear as to who voted for or against an item because of the audio system in place and stated that the County Clerk can attest to that.

Question was called and votes were 2 -2 with Cmr. Velasquez and Cmr. Cortez voting against Item No. 18.

Mr. Homero Ramirez, County Attorney, stated that motion be withdrawn due it was for multiple items and there was some dispute on Item No. 18. He advised to withdraw motion and re-motion each item separately.

Cmr. Gutierrez withdrew her second.

Cmr. Cortez motioned to approve Item No. 18 with funding set at \$15,000.00 instead of \$32,000.00. Cmr. Velasquez seconded the motion.

Votes were 2 – 2 with Cmr. Vasquez and Cmr. Gutierrez voting against.

Mr. Homero Ramirez, County Attorney, advised Court to approve item as submitted or to approve item with a lesser amount. Mr. Raul Casso, Chief of Staff, advised Court that amount allotted to Meals on Wheels was part of a grant in which \$5,000.00 was the County cash match. The total of this grant was \$90,000.00 with the \$5,000.00 from Webb County.

Cmr. Cortez motioned to approve Item No. 18 with funding set at \$15,000.00. Cmr. Velasquez seconded the motion.

As per Judge Bruni, motion passed at \$32,000.00 with Cmr. Vasquez and Cmr. Gutierrez voting against Cmr. Cortez's motion.

Item No. 19      Discussion and acceptance of Webb County Sheriff's Office Annual Report on Information Relating to Traffic Stops as required by the Texas Code of Criminal Procedure Law Enforcement Policy on Racial Profiling, Art 2.132, (b)(7) [Requested by the Sheriff's Office]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 20 Discussion and possible action to enter into a contract with the South Texas Council Boy Scouts of America Aztec District (F/K/A Gulf Coast Council, Inc., Boy Scouts of America) for third party funding in the amount of FIVE THOUSAND DOLLARS (\$5,000.00) for fiscal year 2002-2003. [Account #001-0110-7462 Boy Scouts of America]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 21 Discussion and possible action to exercise an option to extend a property lease agreement with the Bruni Altar Society concerning the Sacred Heart Mission in Bruni, Texas for an additional year (2003-3004) ending on April 30, 2004, at a monthly rate of ONE HUNDRED AND FIFTY DOLLARS (\$150.00) for a total cost of EIGHTEEN HUNDRED DOLLARS (\$1,800.00) over the term of the lease extension. [(Requested by Webb County Community Action Agency) Account #920-4200-6012 Space Rental]

- Item No. 22 Discussion and possible action to amend Third Party Funding Account Number 001-0110-7453 to reflect grant recipients as "Texas A & M International University Classical Guitar Ensemble" instead of "LCC Spanish Tradition."

- Item No. 23 Discussion and possible action to enter into a Third Party Funding Agreement with "Texas A & M International Classical Guitar Ensemble" for \$4,500.00, and authorizing the County Judge to execute all relevant documents.

- Item No. 24 Discussion and possible action to enter into a non-financial cooperative agreement between Webb County for the Community Action Agency and CPL & WTU Retail Energy, LP, for the "Neighbor-to-Neighbor" Program whereby CPL and WTU Retail Energy will provide funding to Webb County Community Action Agency to be utilized to help the needy pay home energy expenses for a term beginning February 15, 2003 and ending December 31, 2003 with an automatic renewal through June 30, 2006, and authorizing the County

Judge to sign all relevant documents. [Webb County Community Action Agency]

- Item No. 25 Discussion and possible action to accept a FIVE HUNDRED DOLLARS (\$500.00) "Mini-Grant" award from the State of Texas, Texas Higher Education Coordinating Board, on behalf of the Webb County Community Action Agency, for its outreach educational programs to parents of students enrolled at various middle schools as well as parents of Head Start Children. [Requested by Community Action Agency]

- Item No. 26 Discussion and possible action to enter into an Interlocal agreement with United Independent School District (U.I.S.D.) for a Justice of the Peace Juvenile Coordinator in J.P. Court, Precinct 2, Place 2 in the amount of \$14,600.00 which represents the salary of a Coordinator working half the school calendar year (January 1, 2003 through September 30, 2003) of which Webb County shall be responsible for one-half of the above salary being \$7,300.00 and authorizing the County Judge to sign all relevant documents. [(Requested by Justice of the Peace Precinct 2, Place 2) Account #001-1045-6022 Professional Services]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 27 Discussion and possible action to enter into a three year (February 25, 2003 through March 26, 2006) lease agreement with La Salle Bank, N.A., in the amount of FOUR HUNDRED AND SEVENTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY-ONE DOLLARS AND TWENTY-EIGHT CENTS (\$477,851.28) and authorizing the County Judge to sign all relevant documents. Webb County will be making twelve quarterly payments in the amount of \$39,820.94 over the term of the lease. At the end of the lease term, Webb County will acquire title to Two (2) Dump Trucks, One (1) Refuse Truck, One (1) Septic Truck, and One (1) Haul Truck. [(Requested by the Purchasing Agent) Account #600-9101-9829 Capital Lease]

- Item No. 28 Discussion and possible action to enter into a contract amendment with the Texas Department of Transportation for the State/Local Public Transportation/Grant Agreement, Amendment #3 increasing the Federal Fiscal Year 2003 Appropriation, as distributed by the State of Texas, for the "El Aguila" Rural Transportation Program by SIXTY-NINE THOUSAND FOUR HUNDRED AND SEVENTY-ONE DOLLARS (\$69,471.00) increasing the amount payable under the Grant to FIVE HUNDRED AND EIGHTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$585,800.00) and authorizing the County Judge to sign all relevant documents. [Requested by Community Action Agency]
- Item No. 29 Discussion and possible action to enter into a three (3) year maintenance agreement (March 5, 2003 through March 4, 2006) with IBM to provide maintenance services to IBM and Non-IBM Machines located at the Tax Assessor/Collector's Office at an annual cost of ONE HUNDRED AND TWENTY-TWO DOLLARS AND FOURTEEN CENTS (\$122.14) per year for a total cost of THREE HUNDRED AND SIXTY-SIX DOLLARS AND FORTY-TWO CENTS (\$366.42) over the three year period and authorizing the County Judge to sign all relevant documents. [Requested by Tax Assessor Collector) Account #001-0700-6402 Repairs and Maintenance Equipment]
- Item No. 30 Discussion and possible action to enter into a one (1) year (February 1, 2003 through January 31, 2004) maintenance agreement with THYSSENKRUPP for the maintenance of one Dover Elevator located at the Webb County Courthouse at an annual cost of EIGHTEEN HUNDRED DOLLARS (\$1,800.00) and authorizing the County Judge to execute all relevant documents. [(Requested by Facilities Director) Account #001-0109-6401 Repairs and Maintenance Building General Operations]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Cmr. Velasquez voiced some concerns on Item No. 27 and why a local bank was not being chosen for this purpose. Mr. Eloy Ramirez, Purchasing Agent, advised Court that due there is no monies in the Capitol Outlay Funds, this purchase will be done a

lease purchase basis. He stated that the local banks have no flexibility on lease purchases and that Webb County would be paying a 4% or 5% interest on this lease. He stated that buy-backs would be done on earth equipment but not on the dump trucks.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to enter into a one (1) year (February 1, 2003 through January 31, 2004) maintenance agreement with THYSSENKRUPP for the Maintenance of Five Dover Elevators located at the Webb County Justice Center at an annual cost of NINE THOUSAND DOLLARS (\$9,000.00) and authorizing the County Judge to sign all relevant documents. [(Requested by Facilities Director) Account #001-0109-6401 Repair and Maintenance Building General Operations]

Item No. 32 Discussion and possible action to clarify the Commissioners Court's position regarding the Justice Center renovation project, including but not limited to appropriating additional funding and any matters incident thereto. **[Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Item No. 35 Discussion and possible action to enter into a construction contract with CG Construction, Inc., in the amount of SIX HUNDRED FIFTY-SIX THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS AND NINETY-FOUR CENTS (\$656,823.94) for improvements to the Mirando City Community Center (\$225,025.19) and the construction of the Self-Help Center (\$431,798.75) and authorizing the County Judge to sign all relevant documents. [Requested by Economic Development Department]

Cmr. Gutierrez motioned to approve Item No. 31, No. 32 and No. 35. Cmr. Velasquez seconded the motion with discussion on No. 35.

Cmr. Velasquez inquired as to whether the monies would be coming from grants. Mr. Leo Flores, County Auditor, stated that a line item transfer must be done. Mr. Juan Vargas, Economic Development,

stated that the \$225,025.19 is a grant and that \$431,798.75 is from a different grant.

Motion carried 5-0 by unanimous consent.

- Item No. 33 Discussion and possible action to enter into an Architectural Services Agreement with Morales & Associates, Architects Inc., in the amount of THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) for renovations to the Webb County Justice Center and design of flood detection, alert and auto shut-out systems to cover all floors of the building and inspection and restoration of the present fire protection system and authorizing the County Judge to sign all relevant documents. [Account #687-0117-8601 Construction in Progress Justice Center Fire Protection] Deferred Item **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

As per Judge Bruni, Item No. 33 is deferred to Executive Session.

- Item No. 36 Discussion and possible action to enter into an Interlocal Agreement contract with Brooks County, Texas for a one year period to house Webb County Inmates in the Brooks County Detention Center at the daily housing per prisoner fee of Thirty-seven dollars and fifty cents (\$37.50) and authorizing the County Judge to sign all relevant documents. [Requested Webb County Sheriff's Department]

Mr. Homero Ramirez, County Attorney, advised the court that he had been advised that the Detention Center is owned by two components. He stated that the county would need to verify how many beds are owned by Brooks County and make sure that all Webb County inmates are housed at the Brooks County Detention Center, not the LCS Inc. Facility. He recommends that if the court seeks approval that the motion state that approval is contingent with the above conditions. He stated that the County could also choose to add an amendment to the contract in the future to include the LCS Inc. Facility. He also stated that he would find out how many beds are owned by Brooks County and include that number in the contract. He recommends that the Court table the matter and request a special meeting no later than Monday, March 31<sup>st</sup>. If contract is not finalized by that time, the contract will

expire and Webb County will need to bring any Webb County inmates back to Webb County. Sheriff Juan Garza stated that he wanted to clarify that it was he that brought the idea of an agreement between Brooks and Webb County, not Cmr. Velasquez. He stated that he looked for another place to possibly house inmates when the previous location (CAA in Laredo) raised their fee from about \$36 per inmate per day to \$50 per inmate per day. He stated that he recommends that the court approve this contract.

Cmr. Gutierrez motioned to approve item with conditions set forth by County Attorney. Cmr. Vasquez (Cortez) seconded the motion.

Cmr. Velasquez thanked Sheriff Garza for his clarification that he was not the one to bring the contract with Brooks County to the table. He stated that when the idea first came before the Court, he supported it because he believed it to be in the best interest of the county, not for his benefit. He stated that though he believed this to be a good idea for the county, he would abstain from voting.

Motion carried 4-0 with Cmr. Velasquez abstaining from voting. As per Judge Bruni, these items are to be discussed in Executive Session.

- Item No. 40    Discussion and possible action on entering into a Mutual Aid Agreement with the City of Laredo, South Texas Development Council, City of Rio Bravo and City of El Cenizo I accordance with and as part of the Texas Domestic Preparedness Assessment requirements.
- Item No. 41    Discussion and possible action on the approval of a resolution to proclaim April 2003 as Fair Housing Month and April 14<sup>th</sup> thru April 18<sup>th</sup> as Fair Housing Week and designating the Webb County Community Action Agency responsible for monitoring Fair Housing in Webb County.
- Item No. 42    Discussion and possible action to fill slot #1540, Supervisor of Custodial Services, in the amount of \$28,000 per year effective March 24, 2003. [Account #001-0106-5001 Payroll]

Cmr. Gutierrez motioned to approve Item No. 40, No. 41 and No. 42 as submitted. Cmr. Vasquez seconded the motion with discussion.

Cmr. Vasquez inquired as to whether someone had already been hired for Slot #1540 since they were scheduled to start today. Mr. Raul Elizondo stated that the item had been submitted for a previous meeting but had been left out. He stated that the item was resubmitted for this meeting but the date had not been changed.

Motion carried 5-0 by unanimous consent.

Item No. 45 Discussion and possible action to fill the following slots:

- a) Slot #1703, Part-time Substitute Teacher at \$6.94 per hour effective March 25, 2003
- b) Slot #1799, Part-time Substitute Teacher at \$6.94 per hour effective March 25, 2003

[Account #903-4208-5001 Payroll]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent

Cmr. Velasquez stepped out.

Item No. 46 Discussion and possible action to accept a request from Jose Antonio Rugama to name a private ranch road located within Procion 46 between U.S. 83 South and Mangana-Hein Road as Rugama Ranch Road.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Item No. 47 Discussion and possible action to approve the submitted proposal from Thyssenkrupp Elevator to perform services for the Law Enforcement Center elevators for repairs as needed in the amount of \$13,749.00 [Account #624-8000-8601-3 Construction in Progress Law Enforcement Building]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that the previous contracts were for maintenance and that this was for repairs of the elevator located in the Law Enforcement Building. Mr. Homero Ramirez, County Attorney, stated that though there was a maintenance agreement on file, large repairs such as the ones needed are not covered.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

- Item No. 48 Discussion and possible action to award/reject bid number 2003-34 "Weatherization Contractors" for the Webb County Community Action Agency Weatherization Program.  
[Weatherization Grants]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Vasquez seconded the motion.

Motion carried 4-0 with Cmr. Velasquez not present for voting.

Mr. Eloy Ramirez, Purchasing Agent, stated that the primary contractor would be Juan Rodriguez Construction along with Border Insulation.

Cmr. Velasquez returned.

- Item No. 49 Discussion and possible action to appoint a Webb County employee to the Sick Leave Pool Committee as per the revised policy.

Ms. Juanita Puente, Risk Manager, stated that formal approval was needed on this item due there was no second when it was first brought before the court. She states that the person appointed when the item was first approved (Mr. Fernando Gonzalez) would continue on the Sick Leave Pool Committee.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez motioned to move into Executive Session. Cmr. Vasquez seconded the motion,

Motion to move into Executive Session carried 5-0 by unanimous consent.

Ms. Margie Ramirez Ibarra, County Clerk, approached the Court to clarify the amount approved on Item No. 18 due the motion called for approval of \$15,000.00 but Judge Bruni stated that motion carried at \$32,000.00. Mr. Homero Ramirez, County Attorney, stated that there had been some confusion on that item and he recommended the court bring the item back and vote again.

Cmr. Vasquez motioned to bring up Item No. 18. Cmr. Gutierrez seconded the motion.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

- Item No. 18 Discussion and possible action to enter into a contract with the Laredo Animal Protective Society in the amount of THIRTY TWO THOUSAND DOLLARS (\$32,000.00) for fiscal year 2002-2003 and authorizing the County Judge to sign all relevant documents. [Account #001-4300-7406 Animal Protective Society]

Cmr. Vasquez motioned to approve Item No. 18 as submitted. Cmr. Gutierrez seconded the motion.

Cmr. Cortez stated that he was upset that the LAPS would be receiving \$32,000.00 and the Meals on Wheels Program would only receive \$5,000.00. Mr. Raul Casso, Chief of Staff, reiterated that the \$5,000.00 was the cash match required for a grant that would provide an additional \$85,000.00.

Motion carried 3-2 with Cmr. Velasquez and Cmr. Cortez voting against.

**EXECUTIVE SESSION (4:32 P.M. TO 5:16 P.M.)**  
**Item No. 33, No. 37, No. 38 and No. 39 to be discussed**

Judge Bruni called meeting to order. He stated that absolutely no action was taken in Executive Session.

- Item No. 33 Discussion and possible action to enter into an Architectural Services Agreement with Morales & Associates, Architects

Inc., in the amount of THIRTY-SIX THOUSAND DOLLARS (\$36,000.00) for renovations to the Webb County Justice Center and design of flood detection, alert and auto shut-out systems to cover all floors of the building and inspection and restoration of the present fire protection system and authorizing the County Judge to sign all relevant documents. [Account #687-0117-8601 Construction in Progress Justice Center Fire Protection] Deferred Item **[Closed Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney stated that Item No. 33 was consultation with attorney.

- Item No. 32 Discussion and possible action to clarify the Commissioners Court's position regarding the Justice Center renovation project, including but not limited to appropriating additional funding and any matters incident thereto. **[Closed session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]**

Mr. Homero Ramirez, County Attorney, stated that this item had been deferred to after Executive Session.

Comr. Gutierrez motioned to not enter into an agreement until assessment of renovations needed and total amount required. This task was to be assigned to Mr. Raul Casso. Comr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 37 Discussion and possible action regarding acquisition of Tex-Mex Property on Washington Street. **[Closed session requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with attorney) and Section 551.072 (Deliberation Regarding Real Property)]**

Mr. Homero Ramirez, County Attorney, advised Court that his office would need instruction as to confirm or rescind the contract presented to the court to acquire the property.

Cmr. Gutierrez motioned to confirm acquisition. Cmr. Vasquez seconded the motion.

Motion carried 5-0 by unanimous consent to confirm acquisition.

- Item No. 38 Discussion and possible action regarding Cause No. 2002-CVQ-001149-D2; Jorge Luis Sanchez v. Webb County; In the 111<sup>th</sup> Judicial District Court of Webb County, Texas. **[Closed session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with attorney)]**

Mr. Homero Ramirez, County Attorney, advised court to order mediation and to appoint a Court member as representative during mediation.

Cmr. Vasquez motioned to appoint Cmr. Gutierrez as mediation representative. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 39 Discussion and possible action regarding the claim for Ambrosio and Herminia Chapa arising from a vehicular accident on or about April 10, 2001. **[Closed session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with attorney)]**

Mr. Homero Ramirez, County Attorney, stated that he would advise court to authorize settlement. He also recommended Court confer with Risk Management as to settlement offer.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Velasquez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 53 Adjournment

Cmr. Vasquez motioned to adjourn. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent to adjourn meeting.